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ORDER

AND NOW, this 8th day of May 2024, after a status conference with counsel, it is hereby ORDERED that:

- (1) Defendants in the above actions that are not subject to a motion by Plaintiffs to remand shall file on or before June 10, 2024 any motions to dismiss on the ground that Daniel's Law, N.J. Stat. Ann. §§ 47:1A-1, et seq., and 56:8-166.1, is unconstitutional on its face, together with a consolidated brief. The consolidated brief shall not exceed 50 pages.
- (2) Any such Defendant that seeks to file an individual brief in support of such motion shall do so on or before June 14, 2024. It shall not be repetitive of the consolidated brief. The individual brief shall not exceed 10 pages.
- (3) Plaintiffs, on or before July 15, 2024, shall file a consolidated brief in opposition to Defendants' motions to dismiss. Such brief shall not exceed 55 pages.

- (4) Such Defendants, on or before July 30, 2024, shall file any consolidated reply brief and any individual reply briefs. The consolidated reply brief shall not exceed 25 pages and any individual reply brief shall not exceed 5 pages.
- (5) Any Defendant that is not subject to a remand motion and that files a motion challenging the constitutionality of Daniel's Law on its face is not deemed to have waived any other ground for dismissal of the Complaint, including but not limited to a challenge to the constitutionality of Daniel's Law as applied, personal jurisdiction, venue, and arbitrability.
- (6) Any Defendant that is not subject to a remand motion and that does not file a motion to dismiss on the ground that Daniel's Law is unconstitutional on its face shall file any motion to dismiss on any other ground on or before June 10, 2024, together with any supporting brief.
- (7) Any Defendant that is not subject to a remand motion and that does not file a motion to dismiss on any ground shall file an Answer on or before June 10, 2024.
- (8) Any Defendant in the above actions that is subject to a remand motion will be permitted to participate in the briefing on the constitutional issue pursuant to the schedule set forth in Paragraphs (1) through (4) in this order.

- (9) The participation in the briefing on the constitutional issue by any Defendant that is subject to a remand motion shall not be deemed a waiver of any defenses it may have if this court ultimately determines that it has subject matter jurisdiction.
- (10) These actions are stayed pending further order of the court, except as set forth in this order and except as to discovery and briefing on subject matter jurisdiction over the Defendants that are subject to remand motions.

BY THE COURT:

<u>/s/ Harvey Bartle III</u>

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